

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 14970 of 2004

Between:

K. Shiva Kumar,

S/o. Late K. Ashok Kumar,
Occ: Business,

Caste: SC, R/o. H.No. 11-1-851,

Seetharambagh, Hyderabad.

..... PETITIONER

AND

1 The Assistant Supply Officer, Civil Supplies,

Circle No.5, Hyderabad.

2 The District Supply Officer,

Hyderabad District.

3 The Chief Rationing Officer, Civil Supplies,

Secunderabad.

4 The Government of A.P.,

Rep. by its Commissioner and Ex-Officio Secretary,
Civil Supplies Bhavan, Erramanzil, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction, Writ or Writs more particularly in the nature of Writ of Mandamus declaring the action of the 3rd respondent in not passing any orders as

per the directions of the 4th respondent vide proceedings No.CCS Ref.No. PDSII(3)5728/2004, Dt. 27-7-2004 for transfer of the Fair Price Shop No.552 at Indira Nagar, Jhirra, Hyderabad in the name of the petitioner is illegal, arbitrary and malafide, and against the principles of natural justice and consequently direct the respondents to allot the Fair Price Shop No.552 at Indira Nagar, Jhirra, Hyderabad in the name of the Petitioner.

Counsel for the Petitioner: MRCH.JANARDHAN REDDY

Counsel for the Respondents: G.P. FOR CIVIL SUPPLIES

The Court at the stage of admission made the following:

W.P.No.14970 of 2004

ORDER:

Petitioner states that his father late Sri K. Ashok Kumar was granted authorization in respect of Fair Price Shop No.552 of Indira Nagar, Jhirra, Hyderabad, in the year 1982. He was also allotted retail kerosene dealership in respect of the said shop and he died on 27-05-2004. Thereafter, the petitioner made a representation to the second respondent-District Supply Officer, Hyderabad, requesting to transfer the authorization of the said shop in his favour. Since there was no response, he made another representation to the third respondent-Chief Rationing Officer, Civil Supplies, Secunderabad. He also made a representation to the fourth respondent-Commissioner and Ex-Officio Secretary, Civil Supplies, Hyderabad, making a similar request and copy of the said representation has been forwarded by the fourth respondent to the third respondent, vide proceedings dated 27-07-2004. The only grievance of the petitioner in the writ petition is that the respondents 1 to 3 failed to take any action on his request for transfer of the authorization of said Fair Price Shop. Hence this Writ Petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents.

Having regard to the facts and circumstances of the case and keeping in view that the request made by the petitioner for transfer of the authorization is pending before the respondents, without expressing any opinion with regard to the entitlement of the petitioner as claimed by him, I deem it appropriate to dispose of the Writ Petition with a direction to the respondents to consider the request of the petitioner for transfer of the authorization of the Fair Price Shop No.552 of Indira Nagar, Jhirra, Hyderabad, in his favour and pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of four weeks, from the date of receipt of a copy of this Order.

With the above said observation, the Writ Petition is disposed of. No costs.

G. ROHINI, J

24th August, 2004

Note: Issue CC in one week

B/o

Isn/Gbs

To

1 The Assistant Supply Officer, Civil Supplies,

Circle No.5, Hyderabad.

2 The District Supply Officer,

Hyderabad District.

3 The Chief Rationing Officer, Civil Supplies,

Secunderabad.

4 The Commissioner and Ex-Officio Secretary,
Government of A.P., Civil Supplies Bhavan,

Erramanzil, Hyderabad.

5. Two CCs to G.P. for Civil Supplies, High Court Buildings, Hyderabad (OUT).

6. Two CD copies